



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

**John C. Harvey and James W. Cuddihy** : Group Art Unit:

Serial No. 08/486,258 : Examiner

Filed June 7, 1995 : Atty Dkt 5634.357

For **SIGNAL PROCESSING APPARATUS  
AND METHODS** :

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
-- FILING DATE GRANTED**

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL  
PROCESSING & CORRESPONDENCE BRANCH**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the enclosed PTO-1607, Notice to File Missing Parts of  
**Application Filed Under 37 CFR 1.60 Filing Date Granted**, dated AUGUST 18, 1995,  
Applicants herewith submit the following:

- [X] Copy of PTO-1607;
- [X] Petition for Extension of Time;
- [X] Copy of Verified Small Entity Declaration as filed in Application Serial  
No. 08/113,329 filed August 30, 1993; and
- [X] Howrey & Simon check no. 114 767 in the amount of \$190.00 to cover  
extension fee.

**REMARKS**

Please accord small entity status for the above-referenced patent application properly filed under 37 C.F.R. § 1.60 and entitled to small entity status under 37 C.F.R. § 1.28. 37 C.F.R §§ 1.28 provides that: "Applications filed under §§ 1.60 and 1.62 of this part must include a reference to a verified statement in a parent application if status as a small entity is still proper and desired." The instant application included by preliminary amendment a reference to the parent case in its entirety. The parent case, application serial number 08/113,329, contains a verified statement properly establishing small entity status and the application referenced above had small entity status at the application's filing date. Therefore, a reference to a verified statement establishing small entity status was properly included in the instant application.

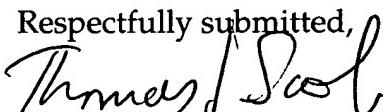
Please accept the properly filed small entity fee in the amount of \$365.00 and pass the instant application onto the Examination branch. A copy of the Verified Statement Claiming Small Entity Status for a Small Business Concern from the parent case is submitted herewith. Small entity status is desired for the present application.

Applicants request that any surcharge fee be returned.

It is respectfully requested that the Attorney Docket number be changed from 5634.361 to 5634.357.

The Commissioner is hereby authorized to charge Deposit Account No. 08-3038 any insufficient funds in connection with the filing of the instant papers. *This sheet is submitted in triplicate.*

Date: October 19, 1995  
**HOWREY & SIMON**  
1299 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Tel: (202) 783-0800

Respectfully submitted,  
  
Thomas J. Scott, Jr.  
Registration No. 27,836  
Attorney for Applicants



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER 103/485,253	FILING DATE 06/07/95	FIRST NAMED APPLICANT HARVEY	ATTORNEY DOCKET NO./TITLE J 5634.361
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MAIL ROOM OCT 20  
08/18/95  
HOWREY & SIMON  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20004

0252/0818

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08/18/95

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILED UNDER 37 CFR 1.60 FILING DATE GRANTED**

A filing date has been granted to this application filed under 37 CFR 1.60. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3 of \$ 130 for large entities or \$ 65 for small entities who have complied with 37 CFR 1.28(a). The surcharge is set forth in 37 CFR 1.16 (e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a  large entity,  small entity (verified statement filed), is \$ 495.00

Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136 (a).

1.  The statutory basic filing fee is:  missing  insufficient. Applicant as a  large entity,  small entity, must submit \$ 365 to complete the basic filing fee.
2.  Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3.  The application was filed under 37 CFR 1.60. The copy of the oath or declaration  is missing  does not show applicant(s) signature or an indication it was signed. A copy of the signed oath or declaration originally filed in the prior complete application is required.
4.  OTHER:

Direct the response and any questions about this notice to, Attention: Application Processing Division, Special Processing and Correspondence Branch.

***A copy of this notice MUST be returned with the response.***

APPLICATION PROCESSING DIVISION  
(703) 308-1202